

12.420 REPORTING VEHICLE THEFTS AND RELATED OFFENSES

Reference:

Procedure 12.270 - Impounding, Moving, and Release of Vehicles
Procedure 12.400 - Offense Reporting, Miscellaneous Reporting
National Motor Vehicle Titling Information System (NMVTIS)

Definition:

For report processing and computer entry purposes only, a vehicle is any motor driven conveyance designed to carry its operator. In addition to ordinary motor vehicles, this definition includes most motorized construction and farm equipment (backhoes, harvesters, etc.) and the following:

Aircraft
All-terrain vehicles
Automobiles
Bulldozers
Buses
Campers with wheels
Cranes (motorized and self-propelled)
Golf carts (motorized)
House vehicles with wheels
Minibikes/Mopeds (bearing serial numbers)
Motor scooters (w/o pedals for human power)
Motorcycles
Motorized boats (bearing serial numbers)
Riding lawn mowers (bearing serial numbers)
Snowmobiles
Trailers
Trucks

Report any motor driven conveyance not listed, or that does not have a serial number, on a Form 301, Incident Report.

Purpose:

To ensure proper reporting and processing of all vehicle theft/attempt theft, license plate(s) theft/attempt theft, misplaced vehicle, and lost license plate(s) reports.

Policy:

Officers will provide the community with courteous police service and prompt investigation. Officers will thoroughly complete all reports, documenting all facts and actions that occur during an incident. Officers will submit all reports prior to the completion of their shift and submit serious offense reports immediately.

Information:

The National Motor Vehicle Titling Information System (NMVTIS) is a disclosure and information system that links states together to prevent the titling of stolen motor vehicles and to disclose any brands associated with a particular motor vehicle. When a customer enters a county title office with documents to apply for an Ohio title, the vehicle identification number (VIN) is automatically checked against the active National Crime Information Center (NCIC) theft file. If the VIN sends back an active theft hit the title office will not be able to issue a title to the customer. The county title office will contact the Ohio Bureau of Motor Vehicles (BMV) Title Section and the VIN will be queried through LEADS and the results will be given to the title clerk. The county title clerk will inform the customer that there is a "NMVTIS ADMINISTRATIVE HOLD" on the records and they should contact their local law enforcement agency as a follow up. The customer will also be told that they will have to take the paper work to the law enforcement agency.

Procedure:**A. Initial Investigation**

1. Department personnel receiving a report of a vehicle or license plate(s) theft will first attempt to determine the time and place of occurrence.
2. Police Communications Section (PCS) will broadcast an "unconfirmed" vehicle or license plate(s) theft if:
 - a. The officer believes the theft just occurred, or the suspect or vehicle might still be in the vicinity and:
 - b. The officer has the necessary preliminary information (license plate number, type of vehicle, etc.).
3. The reporting officer will switch to Talk Group 16 and give the PCS Teletype Desk the license plate information, type of vehicle, and VIN.
 - a. PCS will check the repossessed car file and tow sheet and inform the reporting officer of pertinent information. Cancel the broadcast immediately if it is not a stolen vehicle.
4. The officer will confirm vehicle/license plate(s) theft by determining ownership:
 - a. Request to see the vehicle title, vehicle registration, or both.
 - b. If the complainant cannot prove ownership by producing the above document(s), the reporting officer will:
 - 1) Initiate a search of the LEADS Vehicle/License Plate Registration File by Query Registration (QR).

- 2) Contact the appropriate local deputy registrar for recent vehicle registrations. New registrations may not be in the LEADS Vehicle Registration File. Phone numbers for registrars are in the telephone directory yellow pages under "License Service".
 - 3) Ask the Teletype Desk to have the CIN1 operator send a message to the BMV in Columbus, Ohio, for a manual search. Do this if the reporting person gives a license plate number, but cannot verify ownership.
 - 4) Have the owner contact their insurance company for VIN and license plate information. Verify information by checking the LEADS files.
5. If successful in confirming ownership, notify PCS, which will broadcast and make the computer entry.
 6. If the reporting officer cannot confirm ownership of the reported vehicle/license plate(s) after following the steps listed above, make an "Unconfirmed Vehicle/License Plate(s) Theft" on a Form 303, Motor Vehicle Incident Report, and inform the reporting person.
 - a. PCS will teletype and broadcast the report and carry it in an active status for 72 hours. Do not enter the theft information into computer files.
 - b. The reporting officer will advise the complainant to exhaust all efforts to locate a document (title, registration, VIN, or license plate information) to prove ownership. Instruct the complainant to contact the police immediately when they locate proof of ownership.
 - c. The reporting officer will forward all copies of the Form 303 to the collator of the district carrying the report. The collator will handle proper assignment and make reports available for roll call dissemination.
 - 1) District collators will not assign offense numbers to "Unconfirmed Vehicle/License Plate(s) Theft" reports.
 - d. It is the responsibility of the investigative supervisor of the district carrying the report to have an investigator contact the complainant. The investigator's follow-up investigation will determine the status of the report.
 - e. At the end of the 72-hour period, PCS will cancel the report and teletype unless instructions are received from the investigating district to upgrade the report and teletype message to a "Stolen Vehicle/License Plate(s)" report.

7. Report attempts to commit a violation of any ORC statute that requires a Form 303 as follows:
 - a. Enter the word "Attempt" before the offense title, except in cases of Aggravated Robbery and Robbery.
 - b. Use the same ORC section number as if it were an actual, completed offense.
 - c. For reporting purposes only, never use the ORC Attempt Section 2923.02 on a Form 303.

B. Vehicles

1. Reporting vehicle theft/attempt theft
 - a. Prepare a Form 303. After review by a supervisor, forward it to the district where the offense occurred.
 - 1) Title the offense "Vehicle Theft", ORC Section 2913.02V.
 - 2) Make corrections or additions to any Form 303 on a subsequent Form 303.
 - b. Form 301PS, Property Supplement
 - 1) All property that is readily identifiable with a serial or owner applied number will be reported on a Form 301PS.
 - 2) Use a Form 301PS when the combined value is more than \$500.00.
 - 3) Use a Form 301PS when corrections or additions are needed concerning property listed on a previously completed Form 301PS.
 - 4) Handle property contained in, but not part of, a stolen vehicle as follows:
 - a) The spare tire, jack, lug wrench, etc., are considered parts of the vehicle and do not require a Form 301PS.
 - 1] List these items and other unidentifiable property in the "Narrative" section of the Form 303.
 - c. List in detail any damage to the vehicle or missing vehicle parts in the "Narrative" section of the Form 303.
 - d. Vehicle Value
 - 1) The district collator will determine the vehicle value and list it on the Form 303.

- a) Use the Internet at the following sites: the Kelly Blue Book home page at www.kbb.com or the National Auto Dealers Association guidebook home page at www.nadaguides.com to determine vehicle value.
- e. Vehicles stolen as part of robbery, burglary or breaking and entering type offenses:
 - 1) Complete a Form 303.
 - 2) The offense title on the Form 303 is the robbery, burglary or breaking and entering type offense preceded by the word "vehicle". Examples are "Vehicle Aggravated Robbery", "Vehicle Aggravated Burglary", "Vehicle Breaking and Entering", etc.
 - a) The ORC section number for the Form 303 will be the ORC defined offense (i.e., "Vehicle Aggravated Robbery" 2911.02V, "Vehicle Aggravated Burglary" 2911.11V, "Vehicle Breaking and Entering" 2911.13V).
 - 3) The Form 303, completed in these instances, will list all offenses occurring in the incident.
- 2. Recovery
 - a. Query vehicles through RCIC to obtain stolen vehicle information.
 - b. Identify the agency that originally reported the vehicle as stolen.
 - 1) For out-of-town recoveries, request CIN1 issue a "Hit Request Confirmation" with the originating agency prior to requesting a Signal 38.
 - 2) All initial contact with the originating agencies (ORI) must go through the CIN1 operator. Bypassing the CIN1 operator and contacting the ORI directly causes confusion in entered vehicle status.
 - c. Stolen vehicle recoveries not released to the owner at the scene of the recovery will be impounded. Impounded vehicle recoveries require a Form 369, Towing Report.
 - 1) The yellow copy of Form 369 will be given to the dispatched private wrecker operator.
 - 2) Fax the Form 369 to the Impound Unit as soon as possible. The original white copy of the Form 369 will be mailed to the Impound Unit using interdepartmental mail.

- 3) The pink copy of the Form 369 will be retained at the district.
 - 4) Note on the Form 369 if the owner was notified of the recovery.
- d. Prepare a Form 303 and telephone the information to PCS Teletype Desk at 263-8125.
- 1) The report title will be "Vehicle Recovery". If the theft occurred in another jurisdiction, title the report "OT Vehicle Recovery".
 - a) If vehicle parts or contents are missing, title the report "Partial Vehicle Recovery" or "Partial OT Vehicle Recovery".
 - b) Use 2913.02VR on the Form 303.
 - 2) Enter the following information in the "Narrative" section of the Form 303:
 - a) List and identify the property recovered in the vehicle and indicate the disposition of such property.
 - b) List any damage to the vehicle.
 - c) List any stripped or missing vehicle parts at the time of recovery. The district collator will determine the value of the articles.
 - 3) When calling the PCS Teletype Desk to report vehicle recovery information include the following:
 - a) Name of person/officer who notified the owner.
 - b) Time and date of the notification.
 - 4) When not able to make notification, indicate this in the "Narrative" section of the Form 303. List the date and the time you requested notification, the police agency or district, and the name of the officer contacted.
- e. Notifying the owner of recovered stolen vehicle or license plate(s)
- 1) When recovering a vehicle or license plate(s) stolen in Cincinnati, it is the responsibility of the recovering officer to notify the owner or initiate the notification process. Make the notification in one of the following ways:

- a) By telephone. The officer may contact the police agency where the owner lives for assistance if necessary.
 - b) By personal visit, if the owner lives or works in the recovering district.
 - c) If the owner lives or works in another district, the recovering district will notify the residence or employing district to make the notification.
 - 1] If there is no immediate contact with the owner, the district involved will make a blotter entry to ensure follow-up.
- 2) Upon receipt of a teletype regarding an out-of-town recovery, district desk personnel will promptly notify the auto theft investigator or Investigative Unit supervisor. If the recovery is made after normal working hours the desk officer will put the recovery information in the blotter.
- a) The auto theft investigator or Investigative Unit supervisor will ensure the owner is notified in a timely manner (no longer than 48 hours).
 - b) Investigative Unit supervisors will ensure the teletype board and blotter are reviewed on a daily basis to verify that all notifications are complete. This review will generally be conducted by the auto theft investigator. If the auto theft investigator is unable, another investigator will conduct this review.
- 3) If the owner does not live in Cincinnati or within the local telephone rate area, the officer will request the CIN1 operator send a teletype message to the proper police agency requesting them to notify the owner. The CIN1 operator will request notification confirmation (via return teletype message) from the agency.
- a) The CIN1 operator will immediately make a computer entry "Located Vehicle" (LV) into the LEADS and NCIC Wanted Vehicle File.
 - b) Officers will not bypass PCS and make initial contact with the ORI themselves. This causes confusion in entered vehicle status. PCS will make any required initial notification of other agencies.
 - c) The investigative supervisor from the district of the theft will ensure the owner of the vehicle is notified, whether the vehicle is recovered out-of-town or within Cincinnati.

- 4) If the vehicle is not drivable at the time of recovery:
 - a) Inform the owner the vehicle is not drivable. This allows the owner to obtain the services of a private wrecker.
 - 1] Provide the above information to the PCS Teletype Desk for inclusion in out-of-town police agency notifies, if applicable.
- f. It is the duty of an officer from the recovering district to safeguard the vehicle and all property inside until the vehicle is either released to the owner or impounded.
- g. Try to release the vehicle to the owner at the scene if not needed for other reasons and if it can be done within a reasonable time.
 - 1) If the owner or agent is unable to be contacted, or refuses to claim the vehicle at the scene, the vehicle will be towed, through a Signal 38 request, to a designated private storage facility for storage and recovery by the owner or agent.
 - a) Investigations concerning recoveries will be done at the private storage facilities within 24 hours of the recovery.
 - b) Auto recoveries will no longer be accepted at the Impound Unit or taken to police districts for investigation.
 - 2) Indicate in the "Narrative" section of the Form 303 whether the recovered vehicle was released to the owner or agent at the scene, or towed.
- h. Routing of the Form 303 on Vehicle Theft/Attempt Theft, Vehicle Defrauding a Livery or Hostelry, Vehicle Recovery, License Plate(s) Theft, and License Plate(s) Recovery.
 - 1) Original to Records Unit (following coding and computer entry).
 - 2) Copy for district files.
 - 3) Copy for district investigative unit.
 - 4) Copy to Criminal Investigation Section Auto Theft Coordinator.
 - 5) Copy to the district where the theft occurred if a recovery.

3. National Motor Vehicle Titling Information System hits
 - a. When a vehicle owner responds to a district at the direction of the BMV, the desk officer will request an officer respond to the district to conduct the investigation.
 - b. The investigating officer will query the vehicle to determine the status.
 - c. If the query indicates the vehicle is stolen, the officer will not allow the owner to leave with the vehicle.
 - 1) The officer will do a hit confirmation.
 - 2) The officer will make an attempt to contact an auto theft investigator to verify the status of the vehicle. If the vehicle is an out-of-town theft, the officer will treat it as any other out-of-town vehicle theft recovery.
 - a) If no auto theft investigator is available, the officer will conduct a preliminary investigation and tow the vehicle to the Impound Unit for follow up.
 - 3) If the query indicates there is no active theft entry, the officer will obtain the owner's name and contact information and allow the owner to leave with the vehicle.
 - a) The officer will make a blotter entry for the auto theft investigator to contact the vehicle owner. The auto theft investigator will follow up with the BMV to determine the status of the vehicle or to assist in clearing the record from the BMV files.

C. Unauthorized Use of a Motor Vehicle

1. Title the offense "Unauthorized Use of a Motor Vehicle (UUMV)" ORC Section 2913.03V.
 - a. PCS will not broadcast or enter unauthorized use of motor vehicle reports into the computer system unless there is a warrant number or authorization from a supervisor.
2. When sufficient information exists on a suspect but the complainant will not prosecute, the following guidelines will apply:
 - a. Complete a Form 303 and close it "Prosecution Declined".
 - 1) Do not issue a warrant referral.
 - 2) Do not telephone the report to PCS.
3. When sufficient information exists on a suspect and the complainant will prosecute, the following guidelines will apply:

- a. Complete a Form 303.
 - 1) Officers will issue the complainant a Form 655R, Cincinnati Police Department Citizen Referral, for UUMV and advise the complainant to contact the district desk officer with the warrant number.
 - 2) Provide the desk officer with a copy of the Form 303. If the complainant reports the warrant information, the desk officer will call the report in to the PCS Teletype Desk for immediate entry.
 - 3) If the offense occurred in a district other than the reporting district, the officer will make the offense report and:
 - a) Mail original report and fax a copy to the district of occurrence.
 - b) Make a copy of the report for the reporting district's desk officer.
 - c) Instruct the complainant to contact the district responsible for the investigation with the warrant information.
- b. As soon as practical after 72 hours following the report, a district investigator will determine if the complainant has:
 - 1) Signed a warrant, if issued a UUMV warrant referral.
 - a) If no warrant was signed, close the case "Victim Refused to Cooperate".
 - b) Upon receiving information that an UUMV warrant has been signed, the officer will confirm the warrant and telephone the report and warrant number to PCS. Mark the Form 303 indicating this was completed.
4. When sufficient information does not exist on a suspect but the complainant will prosecute, the following guidelines will apply:
 - a. Complete a Form 303.
 - 1) In the "Narrative" section, clearly state the complainant will prosecute.
 - 2) Do not telephone the report in to the PCS Teletype Desk if there is no warrant or supervisor's approval.
 - a) The reporting officer may obtain a supervisor's approval to call the report into the PCS Teletype Desk. PCS will not issue a teletype number without a supervisor's approval.

- 3) Forward the report to the district collator who assigns an offense number and forwards it to the district investigative unit.
 - b. The investigator will attempt to obtain sufficient information for a warrant.
 - 1) If sufficient information develops for the complainant to sign a warrant, the investigator will issue a Citizen Referral.
 - 2) If the complainant will not sign a warrant, the investigator will close the case "Victim Refused to Cooperate".
 - a) If no warrant is signed within 72 hours, the investigator will close the case "Victim Refused to Cooperate".
 - 1] Do not telephone the report in to PCS.
 - b) If the complainant or officer signs the warrant, telephone the report and warrant number in to the PCS Teletype Desk.
 - 3) If insufficient information exists to sign a warrant, the district investigative supervisor will determine whether or not to make a computer entry.
 5. When sufficient information does not exist on a suspect and the complainant will not prosecute, the following guidelines will apply:
 - a) Complete a Form 303 and a Form 311, Incident Closure Report, and close it "Victim Refused to Cooperate".
 - b) Do not telephone the report into PCS.
- D. Defrauding a Livery or Hostelry
1. If a hired or rented vehicle is not returned to the owner, the reporting officer will issue a Citizen Referral to the owner of the vehicle.
 - a. A Form 303 will be completed only after the complainant signs a warrant.
 - 1) Title the offense "Vehicle Defrauding a Livery or Hostelry", ORC Section 2913.41V.
 - 2) Call the PCS Teletype Desk with the information for entry.
 2. Vehicle Defrauding a Livery or Hostelry Recovery.
 - a. Title the recovery "Vehicle Defrauding a Livery or Hostelry Recovery". If the defrauding occurred in another jurisdiction, add "OT" as a prefix to the title.

3. When the property involved is not a vehicle, or when violations of ORC Section 2913.41 occur with the vehicle returned to the owner, refer to Procedure 12.400, Section B.

E. Misplaced Vehicles

1. Complete a Form 303 titled "Misplaced Vehicle" and forward all copies to the affected district. Do not use an ORC section number.
 - a. Notify PCS who will broadcast and carry the report in an active status for 72 hours.
 - b. The district investigative supervisor is responsible for assigning the follow-up investigation to determine the status of the misplaced vehicle.
 - c. Make one copy for dissemination at roll call.
2. When locating a misplaced vehicle within 72 hours, the recovering officer will notify PCS to cancel the teletype.

F. License Plates

1. Reporting License Plate(s) Theft/Attempt Theft
 - a. The reporting officer will prepare a Form 303.
 - 1) If only one license plate is missing and evidence of theft is present, prepare a Form 303. Note whether the theft was of the front or rear plate.
 - 2) Report stolen or attempt stolen expired license plate(s) on a Form 303.
 - b. The district carrying the report assigns the offense number.
 - c. The offense titles are "License Plate(s) Theft" or "Attempt License Plate(s) Theft", ORC Section 2913.02L.
 - d. Telephone all stolen valid or expired license plate(s) to the PCS Teletype Desk for entry into the computer files.
 - e. Report theft/attempt theft of license plate validation stickers on a Form 301 using ORC Section 2913.02.
 - 1) The value is the original cost of the sticker.
 - 2) Include the sticker color and serial number in the description for computer entry into the Property File.
 - 3) Query all suspected stolen stickers as "Property".

- 4) The offense title will be "License Plate Validation Sticker Theft" or "Attempt License Plate Validation Sticker Theft", ORC Section 2913.02.
- 5) Upon recovery of a stolen sticker, the officer will prepare a Form 311. Note the recovery of the property and direct the data entry operator to delete the sticker from the computer Property File. Do not make a "Recovery" offense report.

2. Reporting Stolen License Plate(s) Recovery

- a. Upon recovery of stolen license plate(s), prepare a Form 303 and telephone the information to the PCS Teletype Desk.
 - 1) If one license plate is still missing, the recovery is partial. Explain in the "Narrative" section of the Form 303 which plate (front or rear) is still missing.
 - 2) The report title is "License Plate(s) Recovery." Title reports of license plates stolen in another jurisdiction "OT License Plate(s) Recovery." Both instances use ORC Section 2913.02LR.
 - 3) When reporting license plate(s) recovery information to PCS, include the name of the person/officer who notified the owner and the time and date of the notification.
 - 4) When unable to make owner notification, indicate this in the "Narrative" section of the Form 303. List the date and time notification was requested, the police agency or district, and the name of the officer contacted.
 - 5) All initial contacts with the ORI go through the CIN1 operator. Bypassing PCS and contacting the ORI directly causes confusion in entered license plate status.
- b. On a vehicle with recovered stolen plate(s), and a vehicle not reported stolen which is to be impounded, complete a Form 369, Towing Report.
 - 1) Follow Procedure 12.270 for this type of impoundment.
- c. The recovering officer will remove stolen license plate(s) from the vehicle at the time of recovery unless the vehicle is to be impounded for investigation. In this instance, the plate(s) will remain with the vehicle, and will be removed and processed by the investigating officer.

NOTE: Wrecker drivers are required to have tools to remove the license plates from a vehicle.

- 1) Complete a Form 330, Property Receipt, and send the form and plates to the Court Property Unit.

- a) Note in the "Narrative" section of the Form 303 that the license plate(s) were sent to Court Property Unit.
- b) Advise the owner the license plate(s) can be retrieved at the Court Property Unit.

3. Reporting Lost License Plate(s)

- a. The reporting officer will conduct a preliminary investigation to determine if the plate(s) is lost or stolen.
 - 1) Absence of both plates would be a strong indication of theft, unless other circumstances are present.
 - 2) If the license plate(s) is lost within the City of Cincinnati, initiate a QR to verify ownership.
 - 3) Contact the Court Property Unit to determine if someone turned in the license plate(s). Contact the district of occurrence if known.
- b. Prepare a Form 303 titled "Property Lost" and include the following:
 - 1) Name, address, and telephone number of the owner.
 - 2) Name of complainant, if other than the owner.
 - 3) License number, state of issue, and the validation sticker number, if any (if a lost rear license plate).
 - 4) Date and place of occurrence, if known.
 - 5) Indicate if loss was one, or both license plates (indicate front or back).
 - 6) Telephone the information to PCS and add the teletype number to the Form 303.
- c. Advise the complainant of the following information in lost license plate(s) cases:
 - 1) If the owner finds the license plate(s), they should immediately notify the police so the plate can be removed from the current files.
 - 2) The owner should contact the BMV as soon as possible.
 - 3) A deputy registrar handles reissuing of Ohio license plates. The following information may be helpful to the vehicle owner:

- a) Passenger vehicle - Take any remaining license plate, the registration, or the vehicle title if registration is lost, for a new set of plates. If both license plates are missing, take the registration and the vehicle title in for new plates.
- b) Commercial vehicle - Take any remaining license plate with the registration and make application for duplicate plates. Use the issued "W.S." sticker (lost license plate windshield sticker) on the vehicle until the duplicate plate arrives from Columbus. If both plates are missing, bring in the registration and title and make application for a new set of plates.
- c) The registrar charges an issuance fee for the above services.

4. Reporting Found License Plate(s)

- a. Complete a Form 303 for each instance of found license plate(s). The reporting officer will attempt to determine the owner's name and address and will include this information on the form.
- b. After identifying the owner, the reporting officer will attempt to notify the owner by telephone. Instruct owners to pick up the plate(s) at the district before 0700 hours the next workday.
 - 1) If the owner cannot pick up the plate(s) within that period, instruct the owner to retrieve the plate(s) from the Court Property Unit.
- c. Enter the name of the person notified and the time of notification on the Form 303.
- d. If the officer cannot determine the name of the owner after exhausting all investigative means, forward the plate(s) to the Court Property Unit. Attach a copy of the Form 303 explaining the methods used to determine owner identification.

G. Closure of Vehicle/License Plate(s) Theft Offenses

- 1. Cancel the computer entry when cases of vehicle and license plate thefts are cleared "Victim Refused to Cooperate" because the complainant will not prosecute the suspect, and the vehicle is not recovered.
 - a. The investigator assigned to the case will, with the approval of a supervisor, contact PCS Teletype Desk to request immediate cancellation of the computer entry.
- 2. Close cases as a "partial recovery" unless recovery includes the vehicle, both license plates (if two are issued), all parts of the vehicle, and all property listed on the Form 303.